



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

October 23, 2013

Kurt Hasty
Consolidated Grain and Barge Company
3 Cargill Elevator Road
Cahokia, IL 62206

RE: Naples Truck Lane
IDNR Project # 1405335
Scott County

Dear Mr. Hasty:

This letter concerns the Endangered Species Consultation for a proposed project in Naples, IL. This project was submitted for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The project involves the construction of a truck lane for dumping grain. The Department has completed its review of the project and concluded that the action is likely to have an adverse impact on the State-threatened Illinois Chorus Frog, *Pseudacris streckeri* (ICF). The Illinois chorus frog inhabits sand prairies and agricultural fields with sandy substrates. The species hibernates in burrows, and emerges in the spring to breed in flooded fields, ditches, and vernal pools.

The location of the proposed road is an agricultural field just south of Lower Smith Lake, adjacent to documented breeding records for the Illinois Chorus Frog. The project area is fairly sandy and open, and constitutes potential ICF habitat, particularly during a wet spring. With the field adjacent to the lake and its associated wetlands, it could also be crossed by frogs dispersing from breeding ponds. We are concerned with the effect that the project will have on this species by either injuring or killing individuals during excavation, or crushing them with equipment and vehicles during construction or operation.

If Illinois Chorus Frogs are encountered during construction and operation, there is the potential for a prohibited take to occur, which is a violation of the Illinois Endangered Species Protection Act. 'Take' means, in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. Because of the likelihood of a take, Incidental Take Authorization (ITA) for Illinois Chorus Frog is recommended and should be requested in accordance with *17 Ill Adm. Code Part 1080* (copy enclosed). Communication concerning the ITA application should be directed to Jenny Skufca, Office of Resource Conservation, 217-557-8243 or Jenny.Skufca@illinois.gov.

Alternatively, the company could have a biological survey conducted in late February or very early March (depending on the conditions) to see if breeding is occurring at the site. However, construction should not begin until the results of the survey are known.

Regardless, all on-site personnel involved in the project should be educated about what this species looks like. Color photos and educational materials should be distributed and displayed at work zones. It is my understanding that CGB already has such information available. This species is usually only seen above ground during the spring breeding season (February – April); they prefer to be below ground from May to January. Work must stop if an Illinois Chorus Frog is sighted, and the regional IDNR biologist must be contacted.

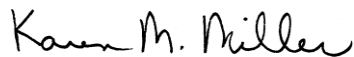
Consultation on the part of the Department is completed. In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions.

Sincerely,

A handwritten signature in black ink that reads "Karen M. Miller". The signature is fluid and cursive, with the first name "Karen" and last name "Miller" clearly distinguishable.

Karen M. Miller
Division of Ecosystems and Environment
Phone (217) 785-5500
karen.m.miller@illinois.gov

cc: Kim Austin